

DISTRICT JUDGE'S MINUTES  
IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA – TUCSON

U.S. District Judge: Cindy K. Jorgenson

Date: April 9, 2019

Carrie Ferrara Clark v. City of Tucson

Case Number: CV-14-02543-TUC-CKJ

Plaintiff attorney: Jeffrey Jacobson

Defense attorneys: Michelle Saavedra and Renee Waters

Court reporter: Cheryl Cummings

Courtroom deputy: Sandra G. Fuller

**CIVIL JURY TRIAL - DAY 7:**

**9:25 a.m.:** The parties are present and inform the Court they do not have their jury instructions prepared as previously ordered. Counsel for the defendant informs the Court she will E-Mail the latest draft copy to chambers. The jurors enter the courtroom.

The defendant's witness, Ken Brouillette, appearing via video teleconference from Seattle, Washington, is sworn and examined.

The defendant's witness, Ted McDonough, is sworn and examined. Exhibits 340 and 342 are admitted.

**11:00: a.m. - 11:20 a.m.:** A mid-morning recess is taken.

The Court is back in session. The jury enters the courtroom. Examination of the defendant's witness, Ted McDonough, continues. Exhibit 79 is admitted.

**12:03: p.m. - 1:06 p.m.:** The Court recesses for lunch.

Counsel discuss the forms of verdict with the Court and request additional guidance on verbiage. The jury enters the courtroom.

Examination of the defendant's witness, Ted McDonough, continues.

The defendant's witness, Michael Carsten, is sworn and examined.

The defendant's witness, Jim Critchley, is sworn and examined. Exhibit 431 is admitted.

**2:24 p.m. - 2:38 p.m.:** A mid-afternoon recess is taken.

The Court is back in session. The jury enters the courtroom. Examination of the defendant's witness, Jim Critchley, continues. Exhibit 374 is admitted.

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The defendant's witness, Rob Rodriguez, is sworn and examined. Exhibits 99, 106, and 129 are admitted. Exhibit 432 is admitted subject to redaction.

**4:53 p.m.:** The Court continues the jury trial to **April 10, 2019 at 9:00 a.m.** The jurors are excused for the day.

**5:02 p.m.:** Counsel for the plaintiff informs the Court he has no objection to all eight jurors participating in deliberation. Exhibit 126 is admitted outside the presence of the jury. The Court takes **UNDER ADVISEMENT** counsel for the plaintiff's request to admit Exhibit 127.

The Court notes she is still awaiting final proposed jury instructions and forms of verdict from counsel.

Civil jury trial: 9:25 a.m. to 5:02 p.m. (6 hours)